



**U.S. Department of Justice**  
Drug Enforcement Administration

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**APR 16 2012**

Case Number: 11-00409-F

Subject: All records on, about, mentioning or concerning "Silk Road" (aka: Silk Road anonymous marketplace, aka: ianxz6zefk72ulzz.onion).

Jason Smathers  
MuckRock News  
DEPT MR 800  
P.O. Box 55819  
Boston, Massachusetts 02205

Dear Mr. Smathers:

This letter responds to your Freedom of Information/Privacy Act (FOI/PA) request dated September 5, 2011, addressed to the Drug Enforcement Administration (DEA), Freedom of Information/Privacy Act Unit (SARF), seeking access to information regarding the above subject. As submitted, your request is denied for reasons set forth below.

Your request falls short of the requirements of the FOIA, 5 U.S.C. § 552 (a)(3)(A), since it does not reasonably describe records, and is not filed in accordance with agency rules. The Department of Justice (DOJ) Rules, contained at 28 C.F.R. § 16.3(a) provides that "if you are making a request for records about yourself see §16.41(d) for additional requirements. If you are making a request for records about another individual, either a written authorization signed by that individual permitting disclosure of those records to you or proof that individual is deceased (for example, a copy proof a death certificate or an obituary) will help the processing of your request." and 28 C.F.R. § 16.3(b), provide that "you must describe the records in enough detail to enable department personnel to locate them with a reasonable amount of effort" and when possible, your request should include specific information about each record sought such as the date, title or name, author, recipient and subject matter of the record. These specifics are important to determine the extent and scope of the search, and to determine the records that are responsive. DEA can make certain presumptions to overcome some of the deficiencies in your request, but not all of them.

Further, to retrieve the information that you may be seeking requires more specificity. Under the FOIA, an agency is not required to conduct research. DEA maintains several types of records and records systems. For example, in your request, you are requesting "*All records on, about, mentioning or concerning 'Silk Road' ...An online anonymous buying and selling service that is only available via the TOR network at the address ianxz6zefk72ulzz.onion.*" Yet, you have not specified any particular DEA office that you wish searched, type of record, or author, recipient, or a date of any record that would be responsive. Your request does not specify any time period or date when any record may have been created. There are approximately 22 DEA Field Divisions, over 250 domestic offices, and more than 150 Headquarters activities. Since your description did not limit the search to a specific office or area, a vast majority of DEA offices would be tasked to conduct a search of their respective offices for any responsive records pertaining to the subject of your request. As such, your request is overly broad and burdensome.

DEA is a component of the Department of Justice whose primary responsibility is the enforcement of Federal criminal laws related to the illicit trafficking in controlled substances and chemicals, including the Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. § 801 et seq. *See* 28 C.F.R. § 0.100. DEA maintains several types of records that include criminal and administrative investigatory records, regulatory records, administrative, program records, financial records and personnel records. Under the FOIA an agency is not required to research a topic, create records or engage in a far reaching search of every record system to satisfy a FOIA request.

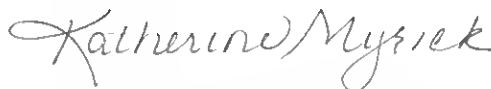
The information that you request could be maintained in any one of several DEA record systems, including the DEA Investigative Reporting and Filing System (IRFS), DEA Correspondence Files, and/or several field or headquarters offices throughout DEA. The request is considered overbroad, since DEA would be required to search every DEA field and headquarters office to locate responsive records. Many of these systems are Privacy Act (PA) Systems of Records and the information maintained relate to the activities and actions of individuals. Generally, since our investigative records and systems involve the activities of individuals engaged in the illicit trafficking in controlled substances, the name, date of birth, and social security number are required to locate information, and a release authorization or other information as described in 28 C.F.R. 16.3(a) is required.

If you wish to appeal any denial of your request, you must make your appeal in writing and it must be received by the Office of Information Policy within sixty (60) days of the date of this letter pursuant to 28 C.F.R. 16.9. The appeal should be sent to the following address, with the envelope marked "FOI/PA Appeal":

UNITED STATES DEPARTMENT OF JUSTICE  
OFFICE OF INFORMATION POLICY  
NYAV BUILDING, 11<sup>TH</sup> FLOOR  
WASHINGTON, D.C. 20530

If you have any questions regarding this request, you may contact FOI Specialist C. Taylor at 202-307-4458.

Sincerely,



Katherine L. Myrick, Chief  
Freedom of Information/Privacy Act Unit  
FOI/Records Management Section

11-00409-1

U.S. Department of Justice

## Certification of Identity

FORM APPROVED OMB NO. 1103-0016  
EXPIRES 10/31/13

**Privacy Act Statement.** In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Requests will not be processed if this information is not furnished. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester <sup>1</sup> \_\_\_\_\_Citizenship Status <sup>2</sup> \_\_\_\_\_ Social Security Number <sup>3</sup> \_\_\_\_\_

Current Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature <sup>4</sup> \_\_\_\_\_ Date \_\_\_\_\_**OPTIONAL: Authorization to Release Information to Another Person**

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

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**Print or Type Name**

<sup>1</sup> Name of individual who is the subject of the record(s) sought.

<sup>2</sup> Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552a(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5 U.S.C. Section 552, rather than Privacy Act requests, for individuals who are not United States citizens or aliens lawfully admitted for permanent residence.

<sup>3</sup> Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

<sup>4</sup> Signature of individual who is the subject of the record sought.

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**U.S. Department of Justice  
Drug Enforcement Administration**

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**THIRD PARTY RELEASE STATEMENT**

I authorize the Drug Enforcement Administration to release all requested information concerning myself to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**SIGNATURE OF SUBJECT**

Subscribed and sworn to before me,  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Foreign notaries are not  
accepted. Notary must  
be before U.S. Consulate  
Personnel.

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**NOTARY PUBLIC**

Commission Expires \_\_\_\_\_

**Original** Stamp or Seal  
Required Here

I certify that I am the person named above and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. § 1001 by a fine of not more than \$10,000.00 or by imprisonment of not more than five years or both, and that requesting or obtaining any records(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.00.